

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**THOMAS E. HALL, on Behalf of Himself  
and All Others Similarly Situated**

Plaintiffs,

vs.

**VITRAN EXPRESS, INC.**

Defendant.

CASE NO. 1:09-cv-00800

JUDGE DAN AARON POLSTER

**NOTICE OF WITHDRAWAL OF  
MOTION FOR LEAVE TO AMEND  
CLASS ACTION COMPLAINT**

\* \* \* \*

Now come the Plaintiffs, Thomas E. Hall and the putative class, by and through the undersigned counsel, and do hereby give notice of their withdrawal of Plaintiffs' Motion for Leave to Amend Class Action Complaint filed on January 7, 2010 without prejudice.

Respectfully submitted,

STUMPHAUZER, O'TOOLE, McLAUGHLIN,  
McGLAMERY & LOUGHMAN CO., LPA

By: /s/ Dennis M. O'Toole

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**CERTIFICATE OF SERVICE**

This will certify that a copy of the foregoing Notice of Withdrawal of Motion for Leave to Amend Class Action Complaint was filed electronically this 20th day of January, 2010. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system or via regular mail.

/s/Dennis M. O'Toole  
Dennis M. O'Toole

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